
**Natural Resources, Ecology &
Parks Committee**

HB 2749

Brief Description: Concerning specialized forest products.

Sponsors: Representatives B. Sullivan, McCoy, Upthegrove, Chase, P. Sullivan, Appleton, Eickmeyer, Newhouse, Miloscia, Dunshee, Conway and Buck.

Brief Summary of Bill

- Requires a specialized forests products permit to harvest over three gallons of huckleberries.
- Provides that members of federally recognized American Indian tribes exercising reserved treaty rights are exempt from the requirements of the specialized forests products law.
- Directs courts to offer to an American Indian tribe any seized specialized forests products if the products came from the tribe's ceded land.

Hearing Date: 1/27/06

Staff: Amy Van Horn (786-7168).

Background:

A specialized forest products permit is required to harvest certain materials from state forests, such as more than five native ornamental trees or Christmas trees, or over five gallons of edible mushrooms. The permit is granted by the county sheriff's office and must be signed by the owner of the property where the harvest will occur. The permit-holder must have the permit in possession while harvesting and transporting the authorized product.

Violations constitute a gross misdemeanor and are punishable by up to a \$1000 fine, up to a year in jail, or both.

Summary of Bill:

Specialized Forest Products Permit

A specialized forests products permit is required in order to harvest over three gallons of huckleberries within the state of Washington. Nursery-grown huckleberries are exempt.

Exemption for American Indian Tribes

Members of federally recognized American Indian tribes exercising their reserved treaty rights are exempt from the requirements of the specialized forest products law.

Specialized Forest Products Seized by the Court

Courts must offer seized products to Indian Tribes if the products were taken from their tribal ceded areas, instead of offering them to the owner of the land from which they were harvested. The products are offered to the tribe at no charge for ceremonial, educational, or religious uses.

"Other Botanical Products"

"Other botanical products" are defined as any indigenous vegetation with wholesale commercial value that has not been grown in a nursery. Other botanical products are included in the general term "specialized forest products."

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.